



2005 SENATE BILL 583

February 8, 2006 - Introduced by Senators STEPP and S. FITZGERALD, cosponsored by Representatives ALBERS, F. LASEE, HINES, BIES, PETROWSKI and MUSSER. Referred to Committee on Housing and Financial Institutions.

1 **AN ACT** *to create* 59.69 (4h) of the statutes; **relating to:** limiting the scope of
2 county zoning authority over commercial establishments.

Analysis by the Legislative Reference Bureau

Under current law, a county is authorized to enact zoning ordinances and adopt regulations that establish, regulate, and restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards and other open spaces, the density of population, and the location and use of buildings, structures, and land for various purposes.

With regard to a commercial establishment and its property, this bill prohibits a county from enacting or enforcing a zoning ordinance or regulation in a number of specified areas, including landscaping, lighting, the appearance of a building's exterior, the placement of trash or recycling receptacles on the property, and the size of parking spaces. Also with regard to a commercial establishment and property, the bill prohibits a county from subjecting an establishment to a site plan review unless the establishment consists of only new construction or if the rebuilding, reconstruction, or expansion of an existing establishment increases the interior area of, or available to, the existing establishment by at least 50 percent.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

